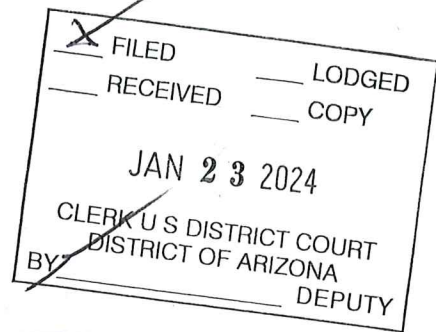


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REDACTED FOR
PUBLIC DISCLOSURE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America,

Plaintiff,

vs.

1. Maribel Alvarez-Moya,
(Counts 1 – 8)
2. Melissa Espinoza and
(Counts 9 – 10)
3. Jose Benjamin Garcia Mariscal,
(Counts 11 – 12)

Defendants.

No. CR-24-00140-PHX-DWL

INDICTMENT

- VIO: 18 U.S.C. § 924(a)(1)(A)
(False Statement During the
Purchase of a Firearm)
Counts 1 – 4
- 18 U.S.C. §§ 922(a)(6) and 924(a)(2)
(Material False Statement During the
Purchase of a Firearm)
Counts 5 – 10
- 18 U.S.C. § 933
(Trafficking in Firearms)
Count 11
- 18 U.S.C. § 922(g)(5) and 924(a)(8)
(Possession of a Firearm by an
Alien Unlawfully Present in the
United States)
Count 12
- 18 U.S.C. §§ 924(d), 934 and 981,
21 U.S.C. §§ 853 and 881; and
28 U.S.C. § 2461(c)
(Forfeiture Allegation)

THE GRAND JURY CHARGES:

COUNTS 1 – 4

On or about the dates listed below, in the District of Arizona, Defendant MARIBEL
ALVAREZ-MOYA, knowingly made false statements and representations to the

businesses listed below, each of which was licensed under the provisions of Chapter 44 of Title 18, United States Code, with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of each listed business, in that Defendant MARIBEL ALVAREZ-MOYA did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives Form 4473, Firearms Transaction Record, in each of the counts below, stating that Defendant MARIBEL ALVAREZ-MOYA resided at an address on Delta Avenue in Mesa, Arizona, whereas in truth and fact, Defendant MARIBEL ALVAREZ-MOYA knew that she resided at a different address:

Count	Date	Business (FFL)
1	9/6/2022	Jones & Jones
2	9/21/2022	Jones & Jones
3	10/13/2022	Jones & Jones
4	10/26/2022	Firearms Unknown

In violation of Title 18, United States Code, Section 924(a)(1)(A).

COUNTS 5 – 8

On or about the dates listed below, in the District of Arizona, Defendant MARIBEL ALVAREZ-MOYA, knowingly made false statements and representations in connection with the acquisition of a firearm to the businesses listed below, which were intended and likely to deceive the businesses as to a fact material to the lawfulness of a sale of a firearm by the business, each of which was licensed under the provisions of Chapter 44 of Title 18, United States Code, with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of each listed business, in that Defendant MARIBEL ALVAREZ-MOYA did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives Form 4473, Firearms Transaction Record, in each of the counts below stating she was the actual buyer or transferee of the firearm, and was not buying the firearm on behalf of another person, whereas in truth and fact, Defendant MARIBEL ALVAREZ-MOYA knew that she was buying the firearm on behalf of another person:

Count	Date	Business (FFL)
5	9/6/2022	Jones & Jones
6	9/21/2022	Jones & Jones
7	10/13/2022	Jones & Jones
8	10/26/2022	Firearms Unknown

In violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNTS 9 – 10

On or about the dates listed below, in the District of Arizona, Defendant MELISSA ESPINOZA knowingly made false statements and representations in connection with the acquisition of a firearm to the business listed below, which were intended and likely to deceive the business as to a fact material to the lawfulness of a sale of a firearm by the business, which was licensed under the provisions of Chapter 44 of Title 18, United States Code, with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of the listed business, in that Defendant MELISSA ESPINOZA did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives Form 4473, Firearms Transaction Record, in each of the counts below stating she was the actual buyer or transferee of the firearm, and was not buying the firearm on behalf of another person, whereas in truth and fact, Defendant MELISSA ESPINOZA knew that she was buying the firearm on behalf of another person:

Count	Date	Business (FFL)
9	10/1/2022	Jones & Jones
10	1/3/2024	Jones & Jones

In violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT 11

On or about January 3, 2024, in the District of Arizona, Defendant JOSE BENJAMIN GARCIA MARISCAL did receive from another person a firearm, to wit: a Glock, model 19X, 9mm pistol, serial number: CBVF598, in or otherwise affecting

1 interstate or foreign commerce, knowing or having reasonable cause to believe that such
2 receipt constituted a felony.

3 In violation of Title 18, United States Code, Section 933.

4 **COUNT 12**

5 On or about January 3, 2024, in the District of Arizona, Defendant JOSE
6 BENJAMIN GARCIA MARISCAL, knowing he was an alien illegally and unlawfully in
7 the United States, did knowingly possess a firearm, to wit: a Glock, model 19X, 9mm
8 pistol, serial number: CBVF598, which had previously been shipped or transported in
9 interstate or foreign commerce.

10 In violation of Title 18, United States Code, Sections 922(g)(5) and 924(a)(8).

11 **FORFEITURE ALLEGATION**

12 The Grand Jury realleges and incorporates the allegations in Counts 1-12 of this
13 Indictment, which are incorporated by reference as though fully set forth herein.

14 Pursuant to Title 18, United States Code, Sections 924(d), 934, and 981; Title 21,
15 United States Code, Sections 853 and 881; Title 28, United States Code, Section 2461(c),
16 and upon conviction of the offenses alleged in Counts 1-12 of this Indictment, the
17 defendants shall forfeit to the United States of America all right, title, and interest in (a)
18 any property constituting, or derived from, any proceeds the persons obtained, directly or
19 indirectly, as the result of the offenses, and (b) any of the defendants' property used, or
20 intended to be used, in any manner or part, to commit, or to facilitate the commission of,
21 such offenses as to which property the defendants is liable. If any forfeitable property, as a
22 result of any act or omission of the defendants:

- 23 (1) cannot be located upon the exercise of due diligence,
24 (2) has been transferred or sold to, or deposited with, a third party,
25 (3) has been placed beyond the jurisdiction of the court,
26 (4) has been substantially diminished in value, or
27 (5) has been commingled with other property which cannot be divided
28 without difficulty,

1 it is the intent of the United States to seek forfeiture of any other property of said defendants
2 up to the value of the above-described forfeitable property, pursuant to 21 U.S.C. § 853(p).

3 All in accordance with Title 18, United States Code, Sections 924(d), 934, and 981;
4 Title 21, United States Code, Sections 853 and 881; Title 28, United States Code,
5 Section 2461(c), and Rule 32.2, Federal Rules of Criminal Procedure.

6 A TRUE BILL

7
8 s/
FOREPERSON OF THE GRAND JURY
9 Date: January 23, 2023

10 GARY M. RESTAINO
11 United States Attorney
District of Arizona

12
13 s/
PATRICK E. CHAPMAN
14 Assistant U.S. Attorney